REMARKS

Claims 1-5, 7-20, and 34-42 are pending. Claims 1-5, and 7-20 are currently amended. Claims 21-33 have been cancelled. Claim 6 was previously cancelled. Support for the amendments to claims 1-5 and 7-20 may be found on at least paras. [0015]-[0040], [0048]-[0057], and [0072]-[0078] of the Specification. Support for new claims 34-42 may be found on at least paras. [0015]-[0040], [0048]-[0057], and [0072]-[0078] of the Specification. The amended claims and new claims do not contain new matter.

While no additional fees are believe due for consideration of this amendment, authorization is provided herewith to pay any underpayment of fees from Deposit Account No. 02-4800.

I. RESPONSE TO REJECTION OF CLAIMS 1-5 AND 7-33 UNDER 35 U.S.C. § 103

The Examiner rejected claims 1-5, 7, 8, 11-17, 19, 21, 23-25, 27, and 29-33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,412,040 to Koch in view of U.S. Patent No. 7,277,855 to Acker et al. and further in view of U.S. Patent No. 6,618,704 to Kanevsky et al. (Office Action, at 2).

In addition, the Examiner rejected claims 9, 10, 18, 26, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Koch in view of Acker et al., further in view of Kanevsky et al. and further in view of U.S. Patent Application Publication No. 2004/0086100 to Moore et al. (Office Action, at 9).

Further, the Examiner rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Koch in view of Acker et al., further in view of Kanevsky et al., and further in view of U.S. Patent No. 7,007,098 to Smyth et al. (Office Action, at 10).

Additionally, the Examiner rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Koch in view of Acker et al., further in view of Kanevsky et al., and further in view of U.S. Patent No. 7,124,163 to Geofroy et al. (Office Action, at 12).

A. Burden of Proving Obviousness Under 35 U.S.C. § 103

"**All words in a claim must be considered in judging the patentability of that claim against the prior art**." MPEP § 2143.03 (emphasis added). "When evaluating claims for obviousness under 35 U.S.C. 103, **all the limitations of the claims must be considered and given weight**." MPEP § 2143.03. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *Id.* "A 35 U.S.C. 103 rejection is based on 35 U.S.C. 102(a), 102(b), 102(e), etc. depending on the type of prior art reference used and its publication or issue date." MPEP § 2141.01.

To establish a *prima facie* case of obviousness, an Examiner must show that an invention would have been obvious to a person of ordinary skill in the art at the time of the invention. MPEP § 2141. "Obviousness is a question of law based on underlying factual inquiries." *Id.* The factual inquiries enunciated by the Court include "ascertaining the differences between the claimed invention and the prior art" and "resolving the level of ordinary skill in the pertinent art." MPEP § 2141.

"A statement that modifications of the prior art to meet the claimed invention would have been 'well within the ordinary skill of the art at the time the claimed

invention was made' because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references." MPEP § 2143.01. "[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead**, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.**" MPEP § 2143.01 (citing *KSR*, 82 USPQ2d at 1396) (emphasis added).

B. Claims 1-5 and 7-10 are Allowable

Claim 1 is directed to a conferencing method that comprises receiving first endpoint data for a first conference type from a first endpoint, determining whether at least one second endpoint is participating in a conference with a first endpoint, determining a second conference type for transmitting received first endpoint data to the at least one second endpoint. Determining the second conference type comprises reading a second conference type identifier from a memory. The second conference type identifier specifies a second conference type for at least one second endpoint participating in a conference with a first endpoint.

The method of claim 1 further comprises determining whether a second conference type is different than a first conference type, selecting a conversion program based on whether a second conference type is different than a first conference type, the conversion program converting received first endpoint data to second endpoint data that is compatible with a second conference type, reading a first endpoint identifier for a first endpoint, and transmitting converted first endpoint data to at least one second endpoint. The transmitted data comprises a first endpoint identifier for a first endpoint.

Claim 1 further requires receiving second endpoint data from at least one second endpoint, the conversion program converting received second endpoint data to first endpoint data that is compatible with a first conference type, reading a second endpoint identifier for at least one second endpoint, and transmitting converted second endpoint data to the first endpoint. The transmitted first endpoint data comprises a second endpoint identifier for at least one second endpoint.

Furthermore, the conversion program converting received second endpoint data to first endpoint data that is compatible with a first conference type comprises the conversion program utilizing a conversion parameter if a first conference type is a voice conference and a second conference type is a text messaging conference, and the conversion parameter comprises predetermined voice attributes based on a second endpoint identifier of at least one second endpoint that are independent of a voice of a user of at least one second endpoint.

Additionally, the conversion program converting received first endpoint data to second endpoint data that is compatible with a second conference type comprises the conversion program utilizing aiding data if a second conference type is a text messaging conference and a first conference type is a voice conference, and the aiding data comprises a model of stored voice data for a user of a first endpoint.

None of the cited art teaches or suggests all of the limitations of claim 1, alone or in combination. For instance, none of Koch, Acker et al., Kanevsky et al., Moore et al., Smyth et al., or Geofrey et al. teach or suggest a conversion program converting received second endpoint data to first endpoint data that is compatible with a first conference type that comprises the conversion program utilizing a conversion parameter if a first

conference type is a voice conference and a second conference type is a text messaging conference or a conversion parameter that comprises predetermined voice attributes based on a second endpoint identifier of at least one second endpoint that are independent of a voice of a user of at least one second endpoint.

Further, the cited art does not teach or suggest a conversion program converting received first endpoint data to second endpoint data that is compatible with a second conference type that comprises the conversion program utilizing aiding data, which comprises a model of stored voice data for a user of a first endpoint, if a second conference type is a text messaging conference and a first conference type is a voice conference.

Because the cited art does not teach or suggest all of the limitations of claim 1, claim 1 is patentable over the cited art. In addition, claims 2-5 and 7-10 are dependent from claim 1 and include all of the limitations of claim 1. Claims 2-5 and 7-10 are patentable because claim 1 is patentable.

C. Claims 11-20 are Allowable

Claim 11 is directed to a conferencing system that comprises a non-transitory computer readable memory device, a conversion program, and a processor. The memory device comprises first endpoint data for a first conference type received from a first endpoint, second endpoint data for a second conference type received from at least one second endpoint, a first endpoint identifier for a first endpoint, a second endpoint identifier for at least one second endpoint, and a second conference type identifier that specifies a second conference type for at least one second endpoint.

The processor determines whether at least one second endpoint is participating in a conference with a first endpoint, determines a second conference type for transmitting received first endpoint data to at least one second endpoint, determines a second conference type by reading a second conference type identifier from a memory, and determines whether a second conference type is different than a first conference type.

In addition, the processor selects a conversion program based on whether a second conference type is different than a first conference type. Further, the conversion program converts received first endpoint data to second endpoint data that is compatible with a second conference type. The processor also reads a first endpoint identifier for a first endpoint and transmits converted first endpoint data to at least one second endpoint. The transmitted data comprises a first endpoint identifier for a first endpoint,

Further, the conversion program converts received second endpoint data to first endpoint data that is compatible with first conference type, and the processor reads the second endpoint identifier for at least one second endpoint and transmits converted second endpoint data to a first endpoint. The transmitted first endpoint data comprises a second endpoint identifier for at least one second endpoint.

In addition, the conversion program utilizes a conversion parameter if a first conference type is a voice conference and a second conference type is a text messaging conference. The conversion parameter comprises predetermined voice attributes based on a second endpoint identifier of at least one second endpoint that are independent of a voice of a user of at least one second endpoint.

Additionally, the conversion program utilizes aiding data if a second conference type is a text messaging conference and a first conference type is a voice conference. The aiding data comprises a model of stored voice data for a user of the first endpoint.

The cited art does not teach or suggest all of the limitations of claim 11, alone or in combination. For example, as discussed above in regards to claims 1-10, none of the cited art teach or suggest a conversion program that utilizes a conversion parameter if a first conference type is a voice conference and a second conference type is a text messaging conference or a conversion parameter that comprises predetermined voice attributes based on a second endpoint identifier of at least one second endpoint that are independent of a voice of a user of at least one second endpoint.

As another example, the cited art does not teach or suggest a conversion program that utilizes aiding data if a second conference type is a text messaging conference and a first conference type is a voice conference where the aiding data comprises a model of stored voice data for a user of the first endpoint.

Because the cited art does not teach or suggest all of the limitations of claim 11, claim 11 is patentable over the cited art. In addition, claims 12-20 are dependent from claim 11 and include all of the limitations of claim 11. Claims 12-20 are patentable because claim 11 is patentable.

D. Claims 34-42 are Allowable

Claim 34 is directed to a conferencing method that comprises receiving coded first endpoint data for a first conference type from a first endpoint, and determining a second conference type for transmitting received coded first endpoint data to at least one second endpoint that is in a conference with a first endpoint. Determining the second

conference type comprises reading a second conference type identifier from a memory. The second conference type identifier specifies a second conference type for at least one second endpoint.

The method of claim 34 further comprises determining whether a second conference type is different than a first conference type, and decoding received coded first endpoint data by applying a CODEC that is selected based on at least one endpoint. The CODEC is selected when at least one second endpoint joins a conference with a first endpoint. Claim 34 further requires, selecting a conversion program based on whether a second conference type is different than a first conference type, the conversion program converting decoded first endpoint data to second endpoint data that is compatible with a second conference type, reading a first endpoint identifier for a first endpoint, and transmitting converted first endpoint data to at least one second endpoint. The transmitted data comprises a first endpoint identifier for a first endpoint.

Claim 34 also requires receiving second endpoint data from at least one second endpoint, the conversion program converting received second endpoint data to first endpoint data that is compatible with a first conference type, reading a second endpoint identifier for at least one second endpoint, and transmitting the converted second endpoint data to the first endpoint. The transmitted first endpoint data comprises a second endpoint identifier for at least one second endpoint.

Furthermore, the conversion program converting received second endpoint data to first endpoint data that is compatible with a first conference type comprises the conversion program utilizing a conversion parameter if a first conference type is a voice conference and a second conference type is a text messaging conference, and the

conversion parameter comprises predetermined voice attributes based on a second endpoint identifier of at least one second endpoint that are independent of a voice of a user of at least one second endpoint.

Additionally, the conversion program converting received first endpoint data to second endpoint data that is compatible with a second conference type comprises the conversion program utilizing aiding data if a second conference type is a text messaging conference and a first conference type is a voice conference, and the aiding data comprises a model of stored voice data for a user of a first endpoint.

None of the cited art teaches or suggests all of the limitations of claim 34, alone or in combination. For instance, as discussed above regarding claims 1-10, the cited art does not teach or suggest a conversion program converting received second endpoint data to first endpoint data that is compatible with a first conference type that comprises the conversion program utilizing a conversion parameter if a first conference type is a voice conference and a second conference type is a text messaging conference or a conversion parameter that comprises predetermined voice attributes based on a second endpoint identifier of at least one second endpoint that are independent of a voice of a user of at least one second endpoint,

Further, the cited art does not teach or suggest a conversion program converting received first endpoint data to second endpoint data that is compatible with a second conference type that comprises the conversion program utilizing aiding data, which comprises a model of stored voice data for a user of a first endpoint, if a second conference type is a text messaging conference and a first conference type is a voice conference.

Moreover, the cited art does not teach decoding coded first endpoint data by applying a CODEC that is selected when at least one second endpoint joins a conference with a first endpoint and is based on the at least one second endpoint.

Because the cited art does not teach or suggest all of the limitations of claim 34, claim 34 is patentable over the cited art. In addition, claims 35-42 are dependent from claim 34 and include all of the limitations of claim 34. Claims 35-42 are patentable because claim 34 is patentable.

II. CONCLUSION

For at least the above reasons reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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